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| **A. Planning / Initiation** | |  | |
| **Issues to be addressed** | **Current PDP** | **Notes from WT Call April 14, 2009** |
| 1.       Who has the right to initiate a request for an issues report | **1. Raising an Issue.** An issue may be raised by any of the following:  a. *Board Initiation.*  b. *Council Initiation.* By a vote of at least twenty-five percent (25%) of the members of the Council present.  c. *Advisory Committee Initiation.* | Brief discussion on transition issues, with the WT agreeing not to focus on temporary solutions but on a permanent solution.   * ICANN Staff to review with legal counsel the proposed changes to Annex A for transition purposes and share with the WT * WT would like to provide input to the GNSO in its process of reviewing the draft Bylaws changes for GNSO improvements on whether the PDP related changes are acceptable or need further revision   Recommendation to adopt Same Criteria from Current PDP and not expand the list of persons or groups that could “raise an issue.”  Consider whether the GNSO and the AC’s should develop and announce a formal mechanism to allow other parties who may or may not be members of a formal constituency, stakeholder group or advisory committee to make suggestions to the GNSO/AC on topics for an issues report   * Some entities such as APWG/ISOC might have reason to make suggestions * Concern that might encourage random/unqualified submissions from public that just creates unnecessary work on the Council * Some stated that it is incumbent on these organizations to raise the issues through their stakeholder groups or constituencies. |
|  | **2. Creation of the Issue Report**  Within fifteen (15) calendar days after receiving either (i) an instruction from the Board; (ii) a properly supported motion from a Council member; or (iii) a properly supported motion from an Advisory Committee, the Staff Manager will create a report (an "Issue Report"). Each Issue Report shall contain at least the following:   1. The proposed issue raised for consideration; 2. The identity of the party submitting the issue; 3. How that party is affected by the issue; 4. Support for the issue to initiate the PDP; 5. A recommendation from the Staff Manager as to whether the Council should initiate the PDP for this issue (the "Staff Recommendation"). Each Staff Recommendation shall include the opinion of the ICANN General Counsel regarding whether the issue proposed to initiate the PDP is properly within the scope of the ICANN policy process and within the scope of the GNSO. In determining whether the issue is properly within the scope of the ICANN policy process, the General Counsel shall examine whether such issue:   1. is within the scope of ICANN's mission statement;  2. is broadly applicable to multiple situations or organizations;  3. is likely to have lasting value or applicability, albeit with the need for occasional updates;  4. will establish a guide or framework for future decision-making; or  5. implicates or affects an existing ICANN policy.  f. On or before the fifteen (15) day deadline, the Staff Manager shall distribute the Issue Report to the full Council for a vote on whether to initiate the PDP, as discussed below. | Discussed reviewing IETF “Birds of a Feather” (See RFC sent by Bertrand on list)  Suggestion to use a Briefing/Scoping White Paper similar to that used by the OECD that provides an executive summary of research, information obtained through educational workshops prior to creating an Issues Report This early paper could cover a, b and c in the current PDP; Council could then make a “go/no-go decision for more in depth Issues Paper which should be put out for public comment (this includes also d and e from current PDP).   * Third party researchers could be used to gather the appropriate information * May delay process of initiating a PDP but may result in a better understanding of the issues and a more efficient use of the PDP process * Could be used to educate the GAC/other ACs on topics under consideration * After comment period, Council should then make a decision about going into a PDP.   [*Need to continue on this topic on next call*] |
| 3.       Issues Scoping – identify the agreed upon goal of the PDP | Not Addressed. |  |
| 4.       What can be the end result of a PDP | Not Addressed. |  |
| 5.       The ongoing role of the Office of the General Counsel in providing legal advice to the policy development process | See 2(e) above. |  |
| 6.       How to incorporate public comments | Not Addressed. |  |
| 7. Whether to conduct informative workshops to educate the public | Not Addressed. |  |
| 8. How to make PDPs more efficient | Not Addressed. |  |
| 9. Expected Outcome of Planning/Initiation Phase | Not Addressed. |  |
| 10. Build in flexibility to allow for additional research and/or fact finding. | Not Addressed. |  |
| 11.       Whether to conduct preliminary economic analysis, such as to evaluate market demands, impact to Community, ICANN staff costs, and other resources needed from ICANN | Not Addressed. |  |